

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

September 13, 2021

Chief Judge Diane S. Sykes

No. 07-21-90055

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presided over her civil case. She alleges “bias behavior” but provides no particulars to substantiate that claim. Any allegation of bias must be supported by sufficient facts to raise an inference that misconduct has occurred; it cannot be based on mere speculation. 28 U.S.C. 352(b)(1)(A)(iii). The complainant also challenges the judge’s decision to close her case, but allegations that are directly related to the merits of a judge’s rulings are not proper grounds for a misconduct complaint. *Id.* § 352(b)(1)(A)(ii); RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. 4(b)(1). Finally, the complainant alleges that her notice of appeal was never placed on the docket. That is an action of the clerk’s office—not a judge—and thus is beyond the purview of the Judicial Conduct and Disability Act. 28 U.S.C. § 352(b)(1)(A)(i).

For the foregoing reasons, the complaint is dismissed pursuant to § 352(b)(1)(A)(i), (ii), and (iii). The complainant may petition the Judicial Council of the Seventh Circuit for review of this order in accordance with Rule 18(b) of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*. *Id.* § 352(c); see RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. 11(g)(3). A petition for review must be filed in the clerk’s office of the United States Court of Appeals for the Seventh Circuit not later than 42 days of the date of this order.